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EVALUATION AND MANAGEMENT OF THE NOISE IMPACT ON MARINE MAMMALS IN VENEZUELA – LEGAL AND TECHNICAL ASPECTS

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1. THE VENEZUELAN MODEL OR HOW DID WE GET HERE?

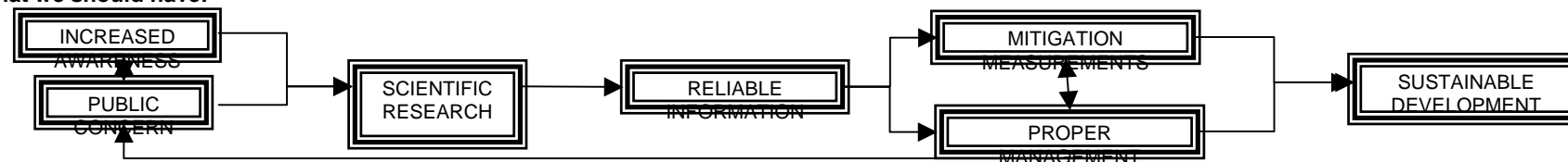
a. The legal and regulatory framework

The Venezuela Constitution (1999)	<ul style="list-style-type: none"> Sustainable development must be granted Authorities must protect the biological diversity The public has the right to participate actively
The Organic Law of Environment (1976)	<ul style="list-style-type: none"> Conservation and improvement of the Environment includes prohibition or mitigation of activities that degrade the environment.
The Biological Diversity Act (1995) and the Convention on Biological Diversity	<ul style="list-style-type: none"> Economical activities must respect the natural environment. A balance between economic development and conservation of natural resources.
The Environment Criminal Act (1992)	<ul style="list-style-type: none"> Activities that are not made in accordance with official regulations can be defined as a crime against law.
Presidential Decree 1257 on “Guidelines on environmental evaluation of potentially degradative activities”	<ul style="list-style-type: none"> Baseline studies, Environmental Impact Assesments and Specific Environmental Assesments (if EIA is not necessary). Environmental supervision on the part of and external consultant

b. The results: what we have found on seismic surveys

RESEARCH/SUPERVISION EFFORT	SPECIES RECORDED	NOTES ON BEHAVIOR	STAKEHOLDERS	CONCLUSIONS
<ul style="list-style-type: none"> Independent observers and MARN officers on board two seismic surveys (2002, 2004). 1264 hs 117 cetacean sightings 	<i>Balaenoptera edeni</i> <i>Megaptera novaeangliae</i> <i>Physeter macrocephalus</i> <i>Stenella frontalis</i> <i>S. attenuata</i> <i>S. longirostris</i> <i>S. Coeruleoalba</i> <i>Tursiops truncatus</i> <i>Delphinus capensis</i> <i>Globicephala sp.</i>	After airgun started to work: <ul style="list-style-type: none"> Dolphin groups showed no evident change of behavior. A group of balaenopterid whales stopped feeding. A group of balaenopterid whales changed their traveling direction 	Environmental authorities. Local NGO'S The Venezuelan oil company The Venezuelan institute for seismic studies Foreign universities	Efforts to evaluate the impact of noise on marine mammals in Venezuela is incipient and includes only the effect of seismic surveys. The legal and regulatory framework is general, but can be used successfully to protect cetaceans. No effort has been devoted to evaluate the effect of shipping or the current level of noise in Venezuelan waters

c. What we should have:



And finally, our approach:

Statements of Mission of authorities, research institutes, companies and NGO's are obviously different and all of them deserve respect. A common goal (a common “statement of mission” or “clear objectives”) can be discussed, negotiated and/or achieved if the focus is put on the guidelines of the “sustainable development” rather than on individuals or institutions

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